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Nineteenth special session
Item 8 of the provisional agenda*

OVERALL REVIEW AND APPRAISAL OF THE IMPLEMENTATION OF AGENDA 21

Implementation of the Convention on Biological Diversity

Note by the Secretary-General

1. The Secretary-General has the honour to transmit to the General Assembly, pursuant to Assembly resolution 50/113 of 20 December 1995, the attached decision III/19 of the Conference of the Parties to the Convention on Biological Diversity. The annex to the decision contains a statement from the Conference of the Parties to the Assembly at its special session.

2. The information referred to in paragraph 2 of the decision was transmitted to the Commission on Sustainable Development at its fifth session (see E/CN.17/1997/21), which will also be made available to the Assembly.

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* A/S-19/1, to be issued.

DECISION III/19 OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY

Special session of the General Assembly to review implementation of Agenda 21

The Conference of the Parties,

Recalling the provisions of the Convention on Biological Diversity and the relevant chapters of Agenda 21,

Recalling General Assembly resolution 50/113, which invited the Conference of the Parties to the Convention on Biological Diversity to provide inputs to the special session of the General Assembly to review progress in implementing Agenda 21,

Recognizing the importance of the special session of the General Assembly in 1997 to review progress made to date in the implementation of Agenda 21,

Mindful of the role of the Convention on Biological Diversity in promoting sustainable development, and reaffirming its commitment to the three objectives of the Convention,

1. Requests the President of the Conference of the Parties to transmit the annexed statement from the Conference of the Parties to the special session of the General Assembly in 1997;

2. Also requests the Executive Secretary to provide to the special session of the General Assembly and to the preparatory process such information related to activities and developments under the Convention as may be required, including the reports of the meetings of the Conference of the Parties.

Annex

STATEMENT FROM THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY TO THE SPECIAL SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY

1. The Conference of the Parties to the Convention on Biological Diversity takes this opportunity to reaffirm its commitment to the three objectives of the Convention, namely the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of benefits arising out of the utilization of genetic resources.

A. The Convention on Biological Diversity and Agenda 21

2. The Conference of the Parties emphasizes the significance of the Convention, and activities carried out in implementation of the Convention, to the achievement of goals set out in many of the chapters of Agenda 21. Sustainable development cannot be achieved without the sustainable use of the world's biological diversity. The Convention provides a set of legally binding commitments and is an important tool for translating the principles of the Rio Declaration on Environment and Development and Agenda 21 into concrete actions.

3. The Convention on Biological Diversity entered into force on 29 December 1993. The Conference of the Parties, at its first three meetings, adopted a number of decisions aimed at elaborating and implementing the provisions of the Convention. The Convention adopts an ecosystem approach, both in its provisions and in its programme of work. The integration of biological diversity considerations into relevant sectoral or cross-sectoral plans, programmes and policies is central to the Convention. In addition, the Conference of the Parties attaches particular importance to cooperation with other biological diversity-related conventions, institutions and processes.

4. The Conference of the Parties recognizes that biological diversity is a cross-cutting issue. The provisions of the Convention are of the utmost relevance to a number of the issues reviewed by the Commission on Sustainable Development to date, including: the planning and management of land resources; combating deforestation; managing fragile ecosystems; promoting sustainable agriculture and rural development; and consideration of marine and coastal biological diversity.

5. The provisions of the Convention are also relevant to the cross-sectoral issues reviewed by the Commission on Sustainable Development. In its statement to the third session of the Commission on Sustainable Development, the Conference of the Parties noted in particular the relevance of the following cross-sectoral issues on the agenda of the third session of the Commission on Sustainable Development: combating poverty; demographic dynamics and sustainability; integrating environment and development in decision-making; environmentally sound management of biotechnology; roles of major groups; financial resources and mechanisms; transfer of technology; science for sustainable development; and information for decision-making.

B. The Convention and chapter 15 of Agenda 21

6. The Convention is the principal global instrument relevant to achieving the goals set out in chapter 15 of Agenda 21, Conservation of Biological Diversity. At its third session, the Commission on Sustainable Development urged States to sign, ratify, accede to and implement the Convention on Biological Diversity. At the time of the third meeting of the Conference of the Parties, 161 States and one regional economic integration organization had done so, making this Convention the principal instrument for advancing global cooperation and practical action in its field.

7. The first meeting of the Conference of the Parties, held in Nassau, the Bahamas, in December 1994, set in place the mechanisms provided for by the Convention. The second meeting, held in Jakarta, Indonesia, in November 1995,

adopted substantive decisions aimed at facilitating the implementation of the Convention.

C. The relevance of the Convention to other chapters of Agenda 21

8. Significant work has already been undertaken or initiated under the Convention in relation to a number of key areas. For example:

(a) National planning processes

9. The Convention requires Parties, in accordance with their particular conditions and capabilities, to develop national strategies, plans and programmes for the conservation and sustainable use of biological diversity. The second meeting of the Conference of the Parties decided that the first national reports of the Parties, due at its fourth meeting, will focus on measures taken for the implementation of article 6 of the Convention (General measures for conservation and sustainable use).

(b) Marine and coastal biological diversity

10. The second meeting of the Conference of the Parties adopted decision II/10 on marine and coastal biological diversity, the Jakarta Mandate. This decision proposed a framework for global action. The salient features of the mandate are:

(i) support for and cooperation with other international efforts;

(ii) development of a programme of work for the Convention process, on the basis of five thematic areas, namely: integrated marine and coastal area management; marine and coastal protected areas; sustainable use of coastal and marine living resources; mariculture; and alien species; and

(iii) the establishment of a roster of experts on the basis of country input, which will draw upon expertise from scientific, technical, technological, social, management, economic, policy, legal and indigenous and traditional knowledge.

11. The first meeting of experts drawn from the roster is to be held in Jakarta early in 1997. The Conference of the Parties also forwarded its decision on marine and coastal biological diversity to the fourth session of the Commission on Sustainable Development in 1996. Integral to the implementation of the Jakarta Mandate will be cooperation with other relevant institutions, processes and international agreements.

(c) Terrestrial biological diversity

12. The second meeting of the Conference of the Parties submitted a statement to the Intergovernmental Panel on Forests, and the Conference of the Parties has considered further inputs. The Conference of the Parties has also begun to

consider further work in the area of terrestrial biological diversity, including in relation to drylands and to the biological diversity of mountain regions. At its third meeting, major consideration was given to agricultural biological diversity.

(d) Environmentally sound management of biotechnology

13. Chapter 16 of Agenda 21 addresses the environmentally sound management of biotechnology. The second meeting of the Conference of the Parties established an Open-ended Ad Hoc Working Group on Biosafety to develop, in the field of the safe transfer, handling and use of living modified organisms, a protocol on biosafety, specifically focusing on transboundary movement, of any living modified organism resulting from modern biotechnology that may have adverse effects on the conservation and sustainable use of biological diversity, setting out for consideration, in particular, appropriate procedure for advance informed agreement. The Working Group held its first meeting in July 1996 and reported to the third meeting of the Conference of the Parties. The Working Group aims to complete its work by 1998.

(e) Technical and scientific cooperation, and capacity-building

14. A number of articles of the Convention address the issues of technical and scientific cooperation and capacity-building, in which the clearing-house mechanism will play a significant role. The second meeting of the Conference of the Parties reaffirmed the importance of the clearing-house mechanism, accessible to all countries, to support implementation of the Convention at the national level. The Conference of the Parties noted that enhanced cooperation with other information systems and activities would contribute to the development of the clearing-house mechanism. A pilot phase of the clearing-house mechanism was established.

(f) Financial resources

15. The Convention recognizes the need for new and additional financial resources to enable developing country Parties to meet their commitments under the Convention and to benefit from its provisions. The Conference of the Parties has encouraged exploration of availability of additional financial resources, and ways in which the activities of funding institutions might be more supportive of the objectives of the Convention. In this regard, the Conference of the Parties encourages bilateral and multilateral funding agencies to incorporate more fully biological diversity considerations into their activities.

(g) Financial mechanism

16. The Convention foresees that there shall be a mechanism for the provision of financial resources to developing country Parties for the purposes of the Convention. The Conference of the Parties decided at its second meeting that the restructured Global Environment Facility should continue to serve on an interim basis as the institutional structure to operate the financial mechanism under the Convention. It also decided to undertake the first review of the

effectiveness of the financial mechanism at its fourth meeting and to undertake a review every three years thereafter.

17. The Conference of the Parties specifically requested the Global Environment Facility as the interim institutional structure to implement the relevant provisions of the following decisions: II/3 and III/4 on the clearing-house mechanism; II/7 and III/9 on consideration of articles 6 and 8 of the Convention; II/8 on preliminary consideration of components of biological diversity particularly under threat and action which could be taken under the Convention; II/17 on the form and intervals of national reports by Parties; III/10 on identification, monitoring and assessment; III/11 on conservation and sustainable use of agricultural biological diversity; III/14 on implementation of article 8 (j); III/15 on access to genetic resources; III/18 on incentive measures; and III/20 on issues related to biosafety. The additional guidance to the financial mechanism given by the Conference of the Parties at its third meeting is contained in consolidated form in decision III/5.

(h) Major groups

18. The major groups, identified in section 3 of Agenda 21, participate in the processes of the Convention, allowing them an opportunity to engage with Governments over the implementation of the commitments made under the Convention. In particular, certain provisions of the Convention specifically address the interests of indigenous people and their communities, as well as of other local communities.

D. Recent developments

19. The Conference of the Parties also draws to the attention of the special session of the General Assembly the report of its third meeting, held in Buenos Aires, Argentina (document UNEP/CBD/COP/3/38). The third meeting considered, inter alia:

(a) The financial mechanism and financial resources for the effective implementation of the Convention;

(b) Implementation of articles 6 and 8 of the Convention;

(c) The conservation and sustainable use of agricultural biological diversity;

(d) Terrestrial biological diversity;

(e) The implementation of article 8 (j);

(f) Access to genetic resources;

(g) Technology transfer;

(h) The impacts of intellectual property rights on the conservation and sustainable use of biological diversity;

(i) Incentive measures; and

(j) Cooperation with other conventions, institutions and processes.

E. Future work under the Convention

20. The Conference of the Parties draws to the attention of the special session the further work envisaged under the Convention's medium-term programme of work, including such areas as:

(a) Consideration of inland water ecosystems;

(b) Linkages between *in situ* and *ex situ* conservation;

(c) Public awareness and education;

(d) Impact assessment and minimizing adverse impacts;

(e) Matters related to benefit sharing;

(f) Technical and scientific cooperation;

(g) Conservation and sustainable use of agricultural biological diversity;

(h) Forest biological diversity;

(i) Implementation of article 8 (j); and

(j) Indicators and methodologies for assessments.

21. At its fourth meeting, the Conference of the Parties will undertake a longer-term review of the work programme of the Convention and the operation of the Conference of the Parties and subsidiary organs, in the light of progress and experience to date.

F. Cooperation with other conventions, institutions and processes

22. The Conference of the Parties affirms the importance it attaches to cooperation and coordination between the Convention on Biological Diversity and other conventions, institutions and processes of relevance. A number of measures have already been taken to enhance such cooperation, including the agreement of memoranda of cooperation between the Convention secretariat and the secretariats of certain other biological diversity-related conventions. The Conference of the Parties emphasizes its commitment to continue to explore effective mechanisms to cooperate with other conventions, institutions and processes of relevance, and in particular the Commission on Sustainable Development, to avoid duplication and promote efficient use of resources in implementing its objectives and objectives contained in Agenda 21 in an expeditious manner.

G. Future challenges

23. In spite of the progress made to date in implementing the objectives of the Convention, Parties remain aware that biological diversity is being destroyed by human activities at unprecedented rates. The Conference of the Parties notes that a significant amount of work remains to be undertaken, in collaboration with relevant conventions, institutions and processes, in order fully to implement the Convention. It therefore calls upon the special session to recognize the urgency of this work and to support it.

24. In particular, the Conference of the Parties recognizes that attention needs to be paid, inter alia, to:

(a) The further raising of public awareness and the understanding of the importance of biological diversity through educational programmes and information;

(b) The rapid development and implementation of national strategies, plans or programmes for the conservation and sustainable use of biological diversity;

(c) The consideration of appropriate arrangements for access to genetic resources, and for the fair and equitable sharing of benefits arising out of the utilization of such resources;

(d) The development of effective means to respect, preserve and maintain the knowledge, innovations and practices of indigenous and local communities and the equitable sharing of the benefits arising out of the utilization thereof;

(e) The transfer of and access to technologies relevant to the Convention; and

(f) The provision of new and additional financial resources for the implementation of the Convention.